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7 **UNITED STATES DISTRICT COURT**
8
9 **DISTRICT OF NEVADA**

10 *****

11 WESCO INSURANCE COMPANY as subrogee
12 of its insured NICKELS AND DIMES
13 INCORPORATED,

14 Case No.: 2:16-cv-01206-JCM-CWH

15 Plaintiff,

16 vs.

17 SMART INDUSTRIES CORPORATION dba
18 SMART INDUSTRIES CORP., MFG., an Iowa
19 corporation,

20 CONSOLIDATED FOR PURPOSES OF
21 DISCOVERY AND TRIAL

22 Defendants.

23 JENNIFER WYMAN, individually; BEAR
24 WYMAN, a minor, by and through his natural
25 parent JENNIFER WYMAN; JENNIFER
WYMAN and VIVIAN SOOF, as Joint Special
Administrators of the ESTATE OF CHARLES
WYMAN,

26 Case No.: 2:16-cv-02378-RFB-GWF

27 Plaintiffs,

28 vs.
29
30 **STIPULATION AND ORDER FOR
SETTLEMENT CONFERENCE
(First Request)**

31 SMART INDUSTRIES CORPORATION dba
32 SMART INDUSTRIES CORP., MFG.; HI-TECH
33 SECURITY INC; WILLIAM ROSEBERRY;
34 BOULEVARD VENTURES, LLC; SANSONE
35 COMPANIES, LLC; DOES I through V; and
36 BUSINESS ENTITIES I through V, inclusive,

37 Defendants.

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1 On July 17, 2018, this Court issued its Order (ECF No. 53) denying motions for summary
2 judgment submitted by Defendants, Hi-Tech Security and William Roseberry (see ECF. No. 37), and
3 Smart Industries, Inc. (ECF No. 38). On July 5, 2018, the Court had issued a separate order (EFC. No.
4 52) denying Smart Industries, Inc.'s motion for summary regarding claims asserted by the Estate of
5 Charles Wyman through Mr. Wyman's personal representative. (See EFC. No. 40).

6 The plaintiffs, Jennifer and Bear Wyman; Wesco Insurance Co.; and the Estate of Charles
7 Wyman, and the defendants, Hi-Tech Security and William Roseberry, and Smart Industries, Inc. have
8 begun settlement discussions, which the parties believe will be further by a Settlement Conference
9 pursuant to LR 16-5.

10 The parties therefore stipulate to, and request that the Court schedule a Settlement Conference
11 in these consolidated actions. To conserve judicial and legal resources, the parties further stipulate and
12 request that the Court also order that the filing of a Joint Pretrial Order pursuant to LR 16-3 and 16-4
13 be held in abeyance to allow the Settlement conference to be scheduled and to go forward; and, in the
14 event the Settlement Conference does not result in full resolution of these consolidated actions, that
15 the parties be allowed to file their Joint Pretrial order 30 days after the Settlement Conference.

16 This Stipulation is submitted in good faith and is not interposed for purposes of delay. **This is**
17 **a first request.**

18 Respectfully submitted,

19 Dated this 15th day of August, 2018,

20 BARRON & PRUITT, LLP

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Smart Industries Corporation

27 Dated this 15th day of August, 2018,

28 STEPHENSON & DICKINSON, PC


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30 MARSHA L. STEPHENSON, ESQ.
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34 *Attorneys for Defendants Hi-Tech
35 Security, Inc. and William Roseberry*

1 Dated this 15th day of August, 2018,

2
3 GREENMAN GOLDBERG RABY &
MARTINEZ

4 
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6 THOMAS ASNEROTH, ESQ.
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7 Attorneys for Plaintiffs

1 Dated this 14th day of August, 2018,

2 DUBOWSKY LAW OFFICE, CHTD.

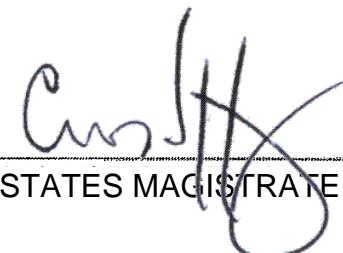
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Las Vegas, Nevada 89101
7 Attorneys for Wesco Ins. Co.

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11 **ORDER**

12 IT IS SO ORDERED.

13 DATED this 17 day of August, 2018.

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16 UNITED STATES MAGISTRATE JUDGE

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18 The court will enter a separate order scheduling the settlement conference.

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